

REMARKS

The present application has been reviewed in light of the Office Action dated October 17, 2003. Claims 23-27 are presented for examination, of which Claims 23, 26, and 27 are in independent form. Claims 23, 24, 26, and 27 have been amended to define Applicants' invention more clearly. Favorable reconsideration is requested.

The Office Action states that Claims 23-27 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,859,956 (Sugiyama et al.). Applicants submit that independent Claims 23, 26, and 27, together with the claims dependent therefrom, are patentably distinct from Sugiyama et al. for at least the following reasons.

An aspect of the present invention set forth in Claim 23 is directed to a data processing apparatus connectable to a LAN. The apparatus includes an input unit, a storage unit, an identification unit, a transfer unit, and a generation unit. The input unit is adapted to input data, and the storage unit is adapted to store the data inputted by the input unit. The identification unit is adapted to obtain user information about a user for whom the data inputted by the input unit was received.

The transfer unit is adapted to transfer the data inputted by the input unit to a terminal connected to the LAN when it is impossible to store the data inputted by the input unit in the storage unit. The generation unit is adapted to generate a predetermined notification, based on the user information obtained by the identification unit, to notify the user that the data has been transferred by the transfer unit. The notification includes information indicating the terminal to which the data is transferred by the transfer unit.

One of the notable features of Claim 23 is that, when it is impossible for the storage unit to store the data inputted by the input unit, the transfer unit transfers the data to a terminal on the LAN, and a notification indicating the terminal to which the data is transferred is generated by the generation unit.

Sugiyama et al. relates to an information processing device and method in which a determination is made as to whether it is possible to process a control code that constitutes document information. If the determination is negative, the document information is transferred to another device, which executes the processing as a proxy.

Nothing in Sugiyama et al. is believed to teach or suggest a data processing apparatus connectable to a LAN, wherein the apparatus includes "a storage unit, adapted to store the data inputted by said input unit," and "a transfer unit, adapted to transfer the data inputted by said input unit to a terminal connected to the LAN when it is impossible to store the data inputted by said input unit in said storage unit," and "a generation unit, adapted to generate a predetermined notification, based on the user information obtained by said identification unit, to notify the user that the data has been transferred by said transfer unit, the notification including information indicating the terminal to which the data is transferred by said transfer unit," as recited in Claim 23.

Sugiyama et al. discloses that data is outputted to another printer for the conditions shown in the error processing table of Fig. 76 (see column 68, lines 51-60). Those conditions, however, do not include nor are they believed to suggest transferring data when it is impossible for a storage unit to store the data, as claimed in Claim 23.

Accordingly, Applicants submit that Claim 23 is not anticipated by Sugiyama et al. and respectfully request withdrawal of the rejection under 35 U.S.C. § 102(b). Independent Claims 26 and 27 include a feature similar to that discussed above, in which inputted data is transferred to a terminal connected to a LAN when it is impossible to store the inputted data in a storage unit. Therefore, those claims also are believed to be patentable for at least the above reasons. Additionally, the other rejected claims in this application depend from Claim 23 and therefore are submitted to be patentable for at least the same reasons. Because each dependent claim also is deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

The present Amendment After Final Action is believed clearly to place this application in condition for allowance. Therefore, its entry is believed proper under 37 C.F.R. § 1.116 and is respectfully requested, as an earnest effort to advance prosecution and reduce the number of issues. Should the Examiner believe that issues remain outstanding, it is respectfully requested that the Examiner contact Applicants' undersigned attorney in an effort to resolve such issues and advance the case to issue.

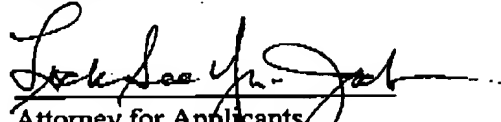
In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

No petition to extend the time for response to the Office Action is deemed necessary for the present Amendment. If, however, such a petition is required to make this Amendment timely filed, then this paper should be considered such a petition and the Commissioner is authorized to charge the requisite petition fee to Deposit Account 06-1205.

CONCLUSION

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,


Attorney for Applicants
Lock See Yu-JAMES
Registration No. 38,667

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200